

SECOND REGULAR SESSION

SENATE BILL NO. 774

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SHOEMYER.

Pre-filed December 1, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

3578S.011

AN ACT

To amend chapter 304, RSMo, by adding thereto one new section relating to the regulation of utility vehicles, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 304, RSMo, is amended by adding thereto one new section, to be known as section 304.032, to read as follows:

304.032. 1. For purposes of this section, "utility vehicle" means any motorized vehicle manufactured and used exclusively for off-highway use which is sixty-three inches or less in width, with an unladen dry weight of one thousand nine hundred pounds or less, traveling on four or six wheels, excluding all-terrain vehicles, to be used primarily for agricultural, landscaping, lawn care, or maintenance purposes.

2. No person shall operate a utility vehicle, as defined in this section upon the highways of this state, except as follows:

(1) Utility vehicles owned and operated by a governmental entity for official use;

(2) Utility vehicles operated for agricultural purposes or industrial on-premises purposes between the official sunrise and sunset on the day of operation;

(3) Utility vehicles operated by handicapped persons for short distances occasionally only on the state's secondary roads when operated between the hours of sunrise and sunset;

(4) Governing bodies of cities may issue special permits for utility vehicles to be used on highways within the city limits by licensed drivers. Fees of fifteen dollars may be collected and retained by cities for such permits;

22 **(5) Governing bodies of counties may issue special permits for**
23 **utility vehicles to be used on county roads within the county by**
24 **licensed drivers. Fees of fifteen dollars may be collected and retained**
25 **by the counties for such permits.**

26 **3. No person shall operate a utility vehicle within any stream or**
27 **river in this state, except that utility vehicles may be operated within**
28 **waterways which flow within the boundaries of land which a utility**
29 **vehicle operator owns, or for agricultural purposes within the**
30 **boundaries of land which a utility vehicle operator owns or has**
31 **permission to be upon, or for the purpose of fording such stream or**
32 **river of this state at such road crossings as are customary or part of the**
33 **highway system. All law enforcement officials or peace officers of this**
34 **state and its political subdivisions or department of conservation**
35 **agents or department of natural resources park rangers shall enforce**
36 **the provisions of this subsection within the geographic area of their**
37 **jurisdiction.**

38 **4. A person operating a utility vehicle on a public road pursuant**
39 **to an exception covered in this section shall have a valid operator's or**
40 **chauffeur's license, except that a handicapped person operating such**
41 **vehicle pursuant to subdivision (3) of subsection 2 of this section, but**
42 **shall not be required to have passed an examination for the operation**
43 **of a motorcycle, and the vehicle shall be operated at speeds of less than**
44 **thirty miles per hour and shall operate such vehicle at the highest**
45 **degree of care and shall meet the financial responsibility requirements**
46 **of chapter 303, RSMo.**

47 **5. No persons shall operate a utility vehicle while under the**
48 **influence of alcohol or any controlled substance.**

49 **6. No operator of a utility vehicle shall carry a passenger, except**
50 **for agricultural purposes. The provisions of this subsection shall not**
51 **apply to any utility vehicle in which the seat of such vehicle is**
52 **designed to carry more than one person.**

53 **7. Utility vehicles shall be exempt from the titling and**
54 **registration provisions of chapter 301, RSMo.**

55 **8. A violation of this section shall be a class C misdemeanor.**

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